

EXHIBIT D

LAW OFFICES OF

DUKES, DUKES, KEATING & FANCA, P.A.

2909 13th Street, Sixth Floor
Gulfport, Mississippi 39501
Telephone: 228-868-1111
Facsimile: 228-863-2886
www.ddkf.com

WILLIAM F. DUKES
(1927 - 2003)

Gulfport Mailing Address:
Post Office Drawer W
Gulfport, Mississippi 39502
Toll Free: (888) 542-2034

Hattiesburg Office:
100 Dudley W. Conner Street
Hattiesburg, Mississippi 39401
Telephone: 601-583-0999
Facsimile: 601-583-0997

Walter W. Dukes
Hugh D. Keating
Cy Fanca
Phillip W. Jarrell *
W. Edward Harten, Jr.
Trace D. McRaney
Bobby R. Long

Je'Neil B. Blum **
Haley N. Broom
Jon S. Tiner
Matthew M. Williams
Adam B. Harris

*also licensed in TX
**also licensed in CA

January 14, 2010

VIA FACSIMILE

Patrick Buchanan, Esq.
Mark Watts, Esq.
Brown Buchanan, P.A.
796 Vieux Marche', Suite 1
Biloxi, MS 39533

Re: McBay v. Harrison County, Mississippi, et al.
Civil Action No. 1:07cv1205

Dear Mr. Buchanan and Mr. Watts:

In response to your recent request for the name, address and phone number of the person who completed the November 6, 2008 (5), Use of Force Report regarding Mr. McBay, we have the same information that you have; that is:

- 1). Morgan Thompson testified during his deposition that he did not complete this report but that Ryan Teel completed the report for him.
- 2). The HCADC duty roster for November 6, 2005 does not show that Ryan Teel was working at the HCADC on that date.

It is possible that Morgan Thompson's recollection, in August 2009, of the November 6, 2005, incident is not correct. It is possible that Morgan Thompson did complete this report and does not remember doing so. It is also possible that Mr. Thompson had someone, other than Ryan Teel, complete the report for him. It is also possible that in this post Katrina environment of November 6, 2005, Ryan Teel was at the HCADC and did complete the Use of Force Report on McBay as Morgan Thompson testified even though Mr. Teel was not listed on the November 6, 2005 duty roster.

Mr. Teel's current address is, FCI Oxford, Federal Correctional Institution, P.O. Box 1000, Oxford, WI 53952.

Please feel free to call me if you have any questions or would like to discuss this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joe C. Gewin", written over a horizontal line.

Joe C. Gewin

JCG/tam

cc: Cy Faneca
Haley N. Broom
Karen Young
Ian Brendel